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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,795	07/10/2003	Yukiko Takeda	NITT.0146	3512

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EXAMINER
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VU, MICHAEL T

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/615,795	Applicant(s) TAKEDA ET AL.	
	Examiner Michael Vu	Art Unit 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/10/2003</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement (IDS) submitted on 7/10/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### *Priority*

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu (US 2002/0009066) in view of Igarashi (US 2001/0053694).

Regarding **claims 1 and 6**, Shimizu teaches a mobile terminal equipment having a packet communication function and a communication route optimizing function

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according to a mobile IP (Internet Protocol) [0002], comprising a session between terminals in accordance with a session control message of a protocol different from the mobile IP [0018-0036], optimization of a communication route to the other party by said communication route optimizing function before sending a response message for the session control message.

**But Shimizu does not teach on** the session controller for setting and having means for executing, when a session control message from the other party is received in a visited network apart from a home network of the mobile IP.

However, Igarashi teaches a network system with dynamic service profile updating functions that has a first terminal and second terminal transmit and/or receive via the home server or visit server, further includes the setting controller, and/or executed by a Mobile IP controller, and further provide a service profile updating function to reconfigure the home agent or visit agent with a new service profile (See Figure 1, and paragraphs [0033, 0063-0069, 0089-0091, 0112-0126]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Igarashi, such that the session controller for setting and having means for executing, when a session control message from the other party is received in a visited network apart from a home network of the mobile IP, to provide the dynamically reconfiguration during of a communication session over the Mobile IP network.

Regarding **claim 2**, the combination of Shimizu/Igarashi teach the mobile terminal equipment according to claim 1, wherein said session controller specifies an IP

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address of said other party from said session control message received in the visited network and executes optimization of a communication route to the IP address by said optimizing function [0112-0126] of Igarashi.

Regarding **claim 3**, the combination of Shimizu/Igarashi teach mobile terminal equipment according to claim 1, further comprising: means for storing a home address of the mobile IP preliminarily assigned and an identifier of the mobile terminal equipment to be used in said session control; means for notifying, when an IP care of address which becomes necessary for receiving mobile IP packets is obtained in the visited network, a first server operating as a mobile IP home agent of a correspondence relation between said IP care of address and the home address; and means for notifying a second server for session control of a correspondence relation between said mobile terminal identifier and the home address, wherein a session control message packet transmitted from said other party to said second server is transferred from said second server to said first server in accordance with said home address, and transferred to the mobile terminal equipment in the visited network in accordance with said IP care of address stored in the first server (See Figure 1, [0063-0069, 0089-096]) of Igarashi.

Regarding **claim 7**, the combination of Shimizu/Igarashi teach the packet communication method between terminals according to claim 6, wherein the session control message sent from said second terminal is transferred to said first terminal via a second server for session control and a first server operating as a mobile IP home agent of said first terminal, and said response message sent from said first terminal is

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transferred to said second terminal via said first and second servers (Figure 1, [0063-0069]) of Igarashi.

Regarding **claim 8**, the combination of Shimizu/Igarashi teach the packet communication method between terminals according to claim 7, wherein when said first terminal obtains an IP care of address necessary for receiving mobile IP packets in the visited network, said first terminal notifies said first server of a correspondence relation between a home address of the first terminal and said care of address, and notifies said second server of a correspondence relation between a terminal identifier and the home address of the first terminal, said second terminal transmits the session control message designating the identifier of said first terminal to said second server, the second server transfers said session control message to the home address of said first terminal, and said first server intercepts said session control message and transfers the session control message to said care of address (Figure 14, [01112]) of Igarashi.

Regarding **claim 9**, the combination of Shimizu/Igarashi teach the packet communication method between terminals according to claim 8, wherein said second server sends said session control message in an IP packet form including the home address of said first terminal as a destination IP address, and said first server encapsulates the IP packet including said session control message received from said second server with an IP header including the care of address of said first terminal as a destination address, and transfers the encapsulated IP packet to said first terminal [0063-0069, 0085-0112], of Igarashi.

Regarding **claim 10**, the combination of Shimizu/Igarashi teach the packet communication method between terminals according to claim 8, further comprising the step of obtaining by said second server a correspondence relation between the home address and the care of address of said first terminal from said first server, wherein said second terminal sends said session control message in an IP packet form including the address of said second server as a destination IP address, and said second server transfers to said first terminal the IP packet including the session control message received from said second terminal in a form encapsulated with an IP header including the care of address of said first terminal as a destination address [0063-0069, 0096-0112] of Igarashi.

Regarding **claim 11**, the combination of Shimizu/Igarashi teach the packet communication method between terminals according to claim 10, further comprising the step of notifying to said second server, from said first server notified of the correspondence relation between the home address and the care of address from said first terminal, of a correspondence relation between the home address of said first terminal and a home agent IP address of said first server, wherein said second server specifies said first server on the basis of the home agent IP address and performs communication to obtain a correspondence relation between the home address and the care of address of said first terminal [0182-0247] of Igarashi.

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4. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu/Igarashi in further view of Vakil (US 7,072,317).

Regarding **claim 4**, Shimizu/Igarashi teach the mobile terminal equipment according to claim 1,

**But is silent on** wherein said mobile IP protocol is an IPv6 protocol, and said session control message is according to an SIP (Session Initiation Protocol) specified in IETF RFC3261.

However, Vakil teaches the method for wireless IP that includes IP protocol, Ipv6, and SIP (Session Initiation Protocol) specified in IETF RFC3261 (See paragraph Col. 1, line 21 through Col. 8, line 14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Shimizu/Igarashi, such that wherein said mobile IP protocol is an IPv6 protocol, and said session control message is according to an SIP (Session Initiation Protocol) specified in IETF RFC3261, to enhance the mobility capacity of mobile the device over the multiple networks.

Regarding **claim 5**, the combination of Shimizu/Igarashi/Vakil teach the mobile terminal equipment according to any of claim 1, wherein said mobile IP protocol is an IPv6 protocol, and said session control message is according to ITU-T recommendation H.323 (Official Notice).

### **Conclusion**



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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571) 272-8131.


The examiner can normally be reached on 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Michael Vu  
Examiner



JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER